

Trial Section Merits Panel and is not binding precedent of the Board.
BOX INTERFERENCE
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Paper No. 34

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PHILLIP R. HAWKINS
and LYNN E. MURRY
(5,643,752),

Junior Party,

v.

JOHN M. GREENE
and CRAIG ROSEN
(08/463,261),

Senior Party.

Interference No. 104,330

Before SCHAFER, LEE, and TORCZON, Administrative Patent Judges.

TORCZON, Administrative Patent Judge.

JUDGMENT

(PURSUANT TO 37 CFR § 1.662(a))

INTRODUCTION

Junior party Hawkins requests entry of adverse judgment
"pursuant to the Settlement Agreement (filed under seal)"
(Paper No. 33 at 2). Since the Settlement Agreement has been

filed under seal, it plays no part in our decision to enter adverse judgment against Hawkins.

ORDER

Upon consideration of the record of this interference, it is

ORDERED that judgment on priority as to Count 1 is awarded against junior party Hawkins;

FURTHER ORDERED that junior party Hawkins is not entitled to a patent containing United States Patent 5,643,752 ("752") claims 1-6, which correspond to Count 1;

FURTHER ORDERED that, based on the record before us, senior party Greene is entitled to a patent containing application 08/463,261 ("261") claims 42-75, which correspond to Count 1; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative record of the '752 patent and the '261 application.

RICHARD E. SCHAFER
Administrative Patent Judge

JAMESON LEE
Administrative Patent Judge

RICHARD TORCZON
Administrative Patent Judge

BOARD OF
PATENT
APPEALS AND
INTERFERENCES

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Board of Patent Appeals and Interferences
Interference Trial Section

8 January 2001 - 11.27

TO: Yolunda R. Townes
Sonja Despertt

FROM: Richard Torczon

INTERFERENCE NO. 104,330

9 Please review the attachment and, if no corrections are necessary, please circulate as indicated.

9 If corrections are necessary, please mark the attachment accordingly and return it to me.

Thank you for your assistance in this matter.

Attachment

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